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AIR LINE PILOTS ASSOCIATION, INTERNATIONAL

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ORIGINAL

September 13, 1999

Department of Transportation Dockets
Docket No. FAA-1999-6001 -10
400 Seventh Street, SW
Room Plaza 401
Washington, DC 20590

NOTED
DOCKET SECTION
SEP 15 AM 2:47

Re: 14 CFR Part 193 [Docket No FAA-1999-6001; Notice No. 99-14] Protection
of Voluntarily Submitted Information.

The Air Line Pilots Association International welcomes the opportunity to comment on the above captioned Notice of Proposed Rule Making. It has long been the position of the Association that the unrestricted access by other than aviation safety experts, to aviation safety related information, presents a two fold deterrent to the advancement of aviation safety. First, those without the proper technical background will assuredly draw the wrong conclusions from the safety information. And secondly, those who might be willing to share the information with the FAA will not do so because of the misuse by those not in the aviation safety field.

Therefore, it goes without saying that The Air Line Pilots Association International supports the intent of the proposed rule. This rule will serve to enhance the analysis of real time operational safety data, thus improving safety in the National Airspace System. The Association believes that those safety programs such as FOQA and ASAP or future safety programs which would be available to all members of the industry and participated in by the FAA, should be designated national programs. This will encourage industry as well as employee participation and support through the designation of the related safety data as protected under the provisions of 14 CFAR Part 193.

The preamble partially addresses the impediments to safety program development. It is not just the concern that safety data obtained by a government agency might be released to the public through the Freedom of Information Act; but, equally as important, is what will the government agency (FAA) do with that data in conducting Enforcement Activities. Therefore, to complete the circle of protection, the FAR preventing governmental misuse of FOQA and ASAP data must be enacted.

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The Regulatory Evaluation Summary section of the preamble misstates the current status and effectiveness of operating FOQA Programs. The fact that the FAA does not have hard copies of FOQA data does not in any way limit the agencies decision making capability. Currently the FAA sees the trended FOQA data. FAA representatives can become aware of undesirable safety trends. The FAA is privy to the corrective actions taken by the carrier in response to the trends and is then able to monitor the effectiveness of the corrective actions taken by the air carrier through future FOQA Data review. The timeliness of safety problem recognition and the taking of corrective action, under the present process would only be delayed if the FAA were to need hard copies of FOQA data, conduct analysis and then suggest corrective actions to a carrier. This ability to review and monitor FOQA data has already enhanced the FAA's surveillance capabilities far beyond the pre-FOQA era.

In conclusion, The Association reiterates its support for the proposed rule and is certain, that once enacted, safety enhancements to the National Airspace System will be rapidly realized.

Very truly yours,



John O'Brien, Director
Engineering & Air Safety

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